

# Senate Study Bill 3050 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
NATURAL RESOURCES BILL)

## A BILL FOR

1 An Act relating to the regulation of snowmobiles, all-terrain  
2 vehicles, and watercraft by the department of natural  
3 resources, establishing fees, and making penalties  
4 applicable.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.1, Code 2011, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 5A. "*Designated snowmobile trail*" means  
4 a snowmobile riding trail on any public land, private land,  
5 or public ice that has been designated by the department,  
6 a political subdivision, or a controlling authority for  
7 snowmobile use.

8 NEW SUBSECTION. 5B. "*Direct supervision*" means to provide  
9 supervision of another person while maintaining visual and  
10 verbal contact at all times.

11 NEW SUBSECTION. 11A. "*Nonresident*" means a person who is  
12 not a resident of this state.

13 NEW SUBSECTION. 15A. "*Public ice*" means any frozen,  
14 navigable waters within the territorial limits of this state  
15 and the frozen marginal river areas adjacent to this state,  
16 other than farm ponds, that are under the jurisdiction of the  
17 commission.

18 NEW SUBSECTION. 16A. "*Public water*" means any navigable  
19 waters within the territorial limits of this state and the  
20 marginal river areas adjacent to this state, other than farm  
21 ponds, that are under the jurisdiction of the commission.

22 NEW SUBSECTION. 17A. "*Resident*" means as defined in section  
23 483A.1A.

24 Sec. 2. Section 321G.1, subsections 19 and 21, Code 2011,  
25 are amended to read as follows:

26 19. ~~"Safety~~ "*Education certificate*" means a snowmobile  
27 ~~safety~~ education certificate, approved by the commission, which  
28 is issued to a qualified applicant who is twelve years of age  
29 or older.

30 21. "*Special event*" means an organized race, exhibition, or  
31 demonstration of limited duration which is conducted on public  
32 land, or public ice, or a designated snowmobile trail under  
33 the jurisdiction of the commission according to a prearranged  
34 schedule and in which general public interest is manifested.

35 Sec. 3. Section 321G.1, Code 2011, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 23. "*Water skipping*" means the operation  
3 of a snowmobile on the surface of water by utilizing the skis,  
4 track, and bottom surface area of the snowmobile for flotation  
5 while the snowmobile is in motion.

6 Sec. 4. Section 321G.2, subsection 1, paragraphs c, e, and  
7 f, Code 2011, are amended to read as follows:

8 c. Use of snowmobiles on designated snowmobile trails and  
9 public lands under the jurisdiction of the commission.

10 e. Establishment of a program of grants, subgrants,  
11 and contracts to be administered by the department for the  
12 development, maintenance, signing, and operation of designated  
13 snowmobile trails and the operation of grooming equipment by  
14 political subdivisions and incorporated private organizations.

15 f. Issuance of safety education certificates.

16 Sec. 5. Section 321G.2, subsection 1, Code 2011, is amended  
17 by adding the following new paragraph:

18 NEW PARAGRAPH. 1. Maintenance, signing, and operation of  
19 designated snowmobile trails.

20 Sec. 6. Section 321G.3, Code 2011, is amended to read as  
21 follows:

22 **321G.3 Registration required — penalties.**

23 1. Each snowmobile used on public land ~~or~~, public ice, or a  
24 designated snowmobile trail of this state shall be currently  
25 registered. A person shall not operate, maintain, or give  
26 permission for the operation or maintenance of a snowmobile  
27 on public land ~~or~~, public ice, or a designated snowmobile  
28 trail unless the snowmobile is registered in accordance with  
29 this chapter or applicable federal laws or ~~the snowmobile~~  
30 ~~displays a current annual user permit decal issued for the~~  
31 ~~snowmobile as provided in section 321G.4A~~ in accordance with  
32 an approved numbering system of another state and the evidence  
33 of registration is in full force and effect. A snowmobile  
34 registered in another state must also be issued a user permit  
35 in this state in accordance with this chapter.

1     ~~2. A registration certificate and registration decal shall~~  
2 ~~be assigned, without payment of fee, to snowmobiles owned~~  
3 ~~by the state of Iowa or its political subdivisions. The~~  
4 ~~registration decal shall be displayed on the snowmobile as~~  
5 ~~required under section 321G.5. A registration certificate~~  
6 ~~shall be assigned, without payment of a registration fee, for~~  
7 ~~a snowmobile which is exempt from registration but is being~~  
8 ~~titled, upon payment of a writing fee as provided in section~~  
9 ~~321G.27 and an administrative fee. A registration decal shall~~  
10 ~~not be issued and the registration shall not expire while the~~  
11 ~~snowmobile is exempt. The application for registration and~~  
12 ~~the registration certificate shall indicate the reason for~~  
13 ~~exemption from the registration fee.~~

14     ~~3.~~ 2. A violation of subsection 1 ~~or 2~~ is punishable as  
15 a scheduled violation under section 805.8B, subsection 2,  
16 paragraph "a". When the scheduled fine is paid, the violator  
17 shall submit proof to the department that a valid registration  
18 or user permit has been obtained by providing a copy of the  
19 registration or user permit to the department within thirty  
20 days of the date the fine is paid. A person who violates this  
21 subsection is guilty of a simple misdemeanor.

22     Sec. 7. Section 321G.4, subsection 2, Code 2011, is amended  
23 to read as follows:

24     2. The owner of the snowmobile shall file an application for  
25 registration with the department through a the county recorder  
26 of the county of residence, or in the case of a nonresident  
27 owner, in the county of primary use, in the manner established  
28 by the commission. The application shall be completed by the  
29 owner and shall be accompanied by a fee of fifteen dollars and  
30 a writing fee as provided in section 321G.27. A snowmobile  
31 shall not be registered by the county recorder until the  
32 county recorder is presented with receipts, bills of sale,  
33 or other satisfactory evidence that the sales or use tax has  
34 been paid for the purchase of the snowmobile or that the  
35 owner is exempt from paying the tax. A snowmobile that has

1 an expired registration certificate from another state may be  
2 registered in this state upon proper application, payment of  
3 all applicable registration and writing fees, and payment of a  
4 penalty of five dollars.

5 Sec. 8. Section 321G.4A, subsection 1, Code 2011, is amended  
6 to read as follows:

7 1. A nonresident wishing to operate a snowmobile, other than  
8 a snowmobile registered pursuant to this chapter, on public  
9 land, or public ice, or a designated snowmobile trail of this  
10 state shall ~~first~~ obtain a user permit from the department. A  
11 user permit shall be issued for the use on only one snowmobile  
12 ~~specified at the time of application~~ and is not transferable.  
13 A user permit shall be valid for the calendar year or time  
14 period specified in the permit.

15 Sec. 9. Section 321G.6, subsection 3, Code 2011, is amended  
16 to read as follows:

17 3. Duplicate registrations may be issued ~~upon application~~  
18 ~~to the~~ by a county recorder and or a license agent upon the  
19 payment of a five dollar fee plus a writing fee as provided in  
20 section 321G.27.

21 Sec. 10. Section 321G.7, subsection 1, Code 2011, is amended  
22 to read as follows:

23 1. A county recorder or license agent shall remit to the  
24 commission the snowmobile fees collected by the recorder  
25 or license agent in the manner and time prescribed by the  
26 department.

27 Sec. 11. Section 321G.8, subsection 1, Code 2011, is amended  
28 to read as follows:

29 1. Snowmobiles owned ~~and used~~ by the United States, this  
30 state, or another state, or by a political governmental  
31 subdivision of another state thereof, and used for enforcement,  
32 search and rescue, or official research and studies, but not  
33 for recreational or commercial purposes.

34 Sec. 12. Section 321G.9, subsection 6, Code 2011, is amended  
35 by striking the subsection.

1     Sec. 13. Section 321G.10, Code Supplement 2011, is amended  
2 to read as follows:

3     **321G.10 Accident reports.**

4     If a snowmobile is involved in an accident resulting in  
5 injury or death to anyone or property damage amounting to one  
6 thousand five hundred dollars or more, either the operator  
7 or someone acting for the operator shall immediately notify  
8 the county sheriff or another law enforcement agency in the  
9 state. If the accident occurred on public land, ~~or public~~  
10 ice, or a designated snowmobile trail under the jurisdiction  
11 of the commission, the operator shall file with the commission  
12 a report of the accident, within seventy-two hours, containing  
13 information as the commission may require. All other accidents  
14 shall be reported as required under section 321.266.

15     Sec. 14. Section 321G.12, Code 2011, is amended to read as  
16 follows:

17     **321G.12 ~~Headlamp — tail lamp~~ Headlight — taillight —**  
18 **brakes.**

19     Every snowmobile shall be equipped with at least one  
20 ~~headlamp~~ headlight and one ~~tail lamp~~ taillight. Every  
21 snowmobile shall be equipped with brakes.

22     Sec. 15. Section 321G.13, subsection 1, paragraph f, Code  
23 2011, is amended to read as follows:

24     *f.* On any public land, public ice, or snow designated  
25 snowmobile trail, in violation of official signs of the  
26 commission prohibiting such operation in the interest of  
27 safety for persons, property, or the environment. Any officer  
28 appointed by the commission may post an official sign in an  
29 emergency for the protection of persons, property, or the  
30 environment.

31     Sec. 16. Section 321G.13, subsection 1, Code 2011, is  
32 amended by adding the following new paragraph:

33     NEW PARAGRAPH. *i.* Upon the surface of any public water in a  
34 maneuver known as water skipping. This paragraph “*i*” does not  
35 apply to operation on rivers or streams between November 1 and

1 April 1.

2 Sec. 17. Section 321G.13, subsection 3, Code 2011, is  
3 amended to read as follows:

4 3. A person shall not drive or operate a snowmobile  
5 on public land or a designated snowmobile trail without a  
6 measurable snow cover.

7 Sec. 18. Section 321G.17, Code 2011, is amended to read as  
8 follows:

9 **321G.17 Violation of stop signal.**

10 A person, ~~after having~~ who has received a visual or audible  
11 signal from a peace officer to come to a stop, shall not  
12 operate a snowmobile in willful or wanton disregard of the  
13 signal, ~~or~~ interfere with or endanger the officer or any other  
14 person or vehicle, ~~or~~ increase speed, or attempt to flee or  
15 elude the officer.

16 Sec. 19. Section 321G.20, Code 2011, is amended to read as  
17 follows:

18 **321G.20 ~~Minors under twelve~~ Operation by minors.**

19 1. An owner or operator of a snowmobile shall not permit  
20 a person under twelve years of age to operate and a person  
21 less than twelve years of age shall not operate, a snowmobile  
22 on a designated snowmobile trail, public land, or public ice  
23 except when accompanied on the same snowmobile by a responsible  
24 person of at least eighteen years of age who is experienced  
25 in snowmobile operation and who possesses a valid driver's  
26 license, as defined in section 321.1, or ~~a safety~~ an education  
27 certificate issued under this chapter.

28 2. While operating a snowmobile on a designated snowmobile  
29 trail, public land, or public ice, a person twelve through  
30 fifteen years of age and possessing a valid education  
31 certificate must be under the direct supervision of a parent,  
32 guardian, or another adult authorized by the parent or  
33 guardian, who is experienced in snowmobile operation and  
34 possesses a valid driver's license, as defined in section  
35 321.1, or an education certificate issued under this chapter.

1     3. A person under eighteen years of age but over the age of  
2 fifteen shall not operate a snowmobile on or across a public  
3 highway unless the person has in the person's possession an  
4 education certificate issued to the person pursuant to this  
5 chapter.

6     Sec. 20. Section 321G.21, subsections 1 through 5, Code  
7 2011, are amended to read as follows:

8     1. A manufacturer, distributor, or dealer owning a  
9 snowmobile required to be registered under this chapter  
10 may operate the snowmobile for purposes of transporting,  
11 testing, demonstrating, or selling it without the snowmobile  
12 being registered, except that a special ~~identification~~  
13 ~~number~~ registration decal issued to the owner as provided  
14 in this chapter shall be displayed on the snowmobile in the  
15 manner prescribed by rules of the commission. The special  
16 ~~identification number~~ registration decal shall not be used  
17 on a snowmobile offered for hire or for any work or service  
18 performed by a manufacturer, distributor, or dealer.

19     2. Every manufacturer, distributor, or dealer shall  
20 register with the department by making application to the  
21 commission, upon forms prescribed by the commission, for  
22 a special registration certificate ~~containing a general~~  
23 ~~identification number and for one or more duplicate special~~  
24 ~~registration certificates~~ and decal. The applicant shall pay  
25 a registration fee of ~~fifteen~~ forty-five dollars and submit  
26 reasonable proof of the applicant's status as a bona fide  
27 manufacturer, distributor, or dealer as may be required by the  
28 commission.

29     3. The commission, upon granting an application, shall  
30 issue to the applicant a special registration certificate  
31 ~~containing~~ and decal. The special registration certificate  
32 shall contain the applicant's name, and address, the and  
33 general identification number; ~~assigned to the applicant,~~ the  
34 word "manufacturer", "dealer", or "distributor"; and other  
35 information the commission prescribes. ~~The manufacturer,~~



1 ~~distributor, or dealer shall have the assigned number printed~~  
2 ~~upon or attached to a removable sign or signs which may be~~  
3 ~~temporarily but firmly mounted or attached to the snowmobile~~  
4 ~~being used. The display shall meet the requirements of this~~  
5 ~~chapter and the rules of the commission.~~

6 4. The commission shall also issue duplicate special  
7 registration certificates and decals which shall have displayed  
8 thereon the general identification number assigned to the  
9 applicant. ~~Each duplicate registration certificate so issued~~  
10 ~~shall contain a number or symbol identifying it from every~~  
11 ~~other duplicate special registration certificate bearing the~~  
12 ~~same general identification number. A county recorder may~~  
13 issue duplicate special registration certificates and decals  
14 electronically pursuant to rules adopted by the commission.  
15 The fee for each additional duplicate special registration  
16 certificate and decal shall be ~~two~~ five dollars, plus a writing  
17 fee.

18 5. Each special registration certificate issued ~~hereunder~~  
19 under this section shall be for a period of three years and  
20 shall expire on December 31 of each the renewal year, and  
21 a. A new special registration certificate for the ensuing  
22 ~~twelve months~~ three-year renewal period may be obtained upon  
23 application to the commission and payment of the fee provided  
24 by law. A county recorder may issue special registration  
25 certificate renewals electronically pursuant to rules adopted  
26 by the commission.

27 Sec. 21. Section 321G.23, Code 2011, is amended to read as  
28 follows:

29 **321G.23 Course of instruction.**

30 1. The commission shall provide, by rules adopted pursuant  
31 to section 321G.2, for the establishment of certified courses  
32 of instruction to be conducted throughout the state for the  
33 safe use and operation of snowmobiles. The curriculum shall  
34 include instruction in the lawful and safe use, operation, and  
35 equipping of snowmobiles consistent with this chapter and rules

1 adopted by the commission and the director of transportation  
2 and other matters the commission deems pertinent for a  
3 qualified snowmobile operator. The commission may establish  
4 a fee for the course which shall not exceed the actual cost of  
5 instruction minus moneys received by the department from ~~safety~~  
6 education certificate fees under section 321G.24.

7 2. The commission may certify any experienced, qualified  
8 operator to be an instructor of a class established under  
9 subsection 1. Each instructor shall be at least eighteen years  
10 of age.

11 3. Upon completion of the course of instruction, the  
12 commission shall provide for the administration of a written  
13 test to any student who wishes to qualify for a ~~safety~~ an  
14 education certificate.

15 4. The commission shall provide ~~safety~~ education material  
16 relating to the operation of snowmobiles for the use of  
17 nonpublic or public elementary and secondary schools in this  
18 state.

19 5. The department may develop requirements and standards  
20 for online education offerings. Only vendors who have entered  
21 into a memorandum of understanding with the department  
22 shall be permitted to offer an online course that results  
23 in the issuance of an education certificate approved by the  
24 commission. Vendors may charge for their courses and collect  
25 the education certificate fee required under section 321G.24,  
26 subsection 2, on behalf of the department as agreed to in the  
27 memorandum of understanding.

28 Sec. 22. Section 321G.24, Code 2011, is amended to read as  
29 follows:

30 **321G.24 Safety Education certificate — fee.**

31 1. A person under eighteen years of age shall not  
32 operate a snowmobile on public land, ~~or~~ public ice, a  
33 designated snowmobile trail, or land purchased with snowmobile  
34 registration funds in this state without obtaining a valid  
35 ~~safety~~ education certificate ~~issued~~ approved by the department

1 and having the certificate in the person's possession,  
2 unless the person is accompanied on the same snowmobile by  
3 a responsible person of at least eighteen years of age who  
4 is experienced in snowmobile operation and possesses a valid  
5 driver's license, as defined in section 321.1, or ~~a safety an~~  
6 education certificate issued under this chapter.

7 2. Upon ~~application~~ successful completion of the course  
8 and payment of a fee of five dollars, a qualified applicant  
9 shall be issued ~~a safety an~~ education certificate which is  
10 valid until the certificate is suspended or revoked by the  
11 director for a violation of a provision of this chapter or a  
12 rule adopted pursuant to this chapter. ~~The application shall~~  
13 ~~be made on forms issued by the commission and shall contain~~  
14 ~~information as the commission may reasonably require.~~

15 3. Any person who is required to have ~~a safety an~~ education  
16 certificate under this chapter and who has completed a course  
17 of instruction established under section 321G.2, subsection  
18 1, paragraph "j", including the successful passage of an  
19 examination which includes a written test relating to such  
20 course of instruction, shall be considered qualified to receive  
21 ~~a safety an~~ education certificate.

22 4. The ~~permit~~ certificate fees collected under this section  
23 shall be credited to the special snowmobile fund created under  
24 section 321G.7 and shall be used for safety and educational  
25 programs.

26 5. A valid snowmobile ~~safety or~~ education certificate or  
27 license issued ~~to a nonresident~~ by a governmental authority  
28 of another state shall be considered a valid certificate or  
29 license in this state if the ~~permit~~ certification or ~~license~~  
30 licensing requirements of the governmental authority, ~~excluding~~  
31 ~~fees,~~ are substantially the same as the requirements of this  
32 chapter as determined by the commission.

33 Sec. 23. Section 321G.25, Code 2011, is amended to read as  
34 follows:

35 **321G.25 Stopping and inspecting — warnings.**

1 A peace officer may stop and inspect a snowmobile operated,  
2 parked, or stored on public streets, highways, public lands,  
3 ~~or frozen waters~~ public ice, or designated snowmobile trails  
4 of the state to determine if the snowmobile is registered,  
5 numbered, or equipped as required by this chapter and  
6 commission rules. The officer shall not inspect an area that  
7 is not essential to determine compliance with the requirements.  
8 If the officer determines that the snowmobile is not in  
9 compliance, the officer may issue a warning memorandum to the  
10 operator and forward a copy to the commission. The warning  
11 memorandum shall indicate the items found not in compliance and  
12 shall direct the owner or operator of the snowmobile to have  
13 the snowmobile in compliance and return a copy of the warning  
14 memorandum with the proof of compliance to the commission  
15 within fourteen days. If the proof of compliance is not  
16 provided within fourteen days, the owner or operator is in  
17 violation of this chapter.

18 Sec. 24. Section 321G.26, Code 2011, is amended to read as  
19 follows:

20 **321G.26 Termination of use.**

21 A person who receives a warning memorandum for a snowmobile  
22 shall stop using the snowmobile as soon as possible and shall  
23 not operate it on public streets, highways, public lands, ~~or~~  
24 ~~frozen waters~~ public ice, or designated snowmobile trails of  
25 the state until the snowmobile is in compliance.

26 Sec. 25. Section 321G.27, subsection 1, Code 2011, is  
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. *0c.* The county recorder shall collect  
29 a writing fee of one dollar and twenty-five cents for each  
30 duplicate special registration certificate issued by the county  
31 recorder's office.

32 Sec. 26. Section 321G.29, subsection 8, Code Supplement  
33 2011, is amended to read as follows:

34 8. Once titled, a person shall not sell or transfer  
35 ownership of a snowmobile without delivering to the purchaser

1 or transferee a certificate of title with an assignment on it  
2 showing title in the ~~purchaser or transferee~~ purchaser's or  
3 transferee's name. A person shall not purchase or otherwise  
4 acquire a snowmobile without obtaining a certificate of title  
5 for it in that person's name.

6 Sec. 27. Section 321G.31, subsection 1, Code 2011, is  
7 amended to read as follows:

8 1. If ownership of a snowmobile is transferred by  
9 operation of law, such as by inheritance, order in bankruptcy,  
10 insolvency, replevin, or execution sale, the transferee, within  
11 thirty days after acquiring the right to possession of the  
12 snowmobile, shall mail or deliver to the county recorder of  
13 the transferee's county of residence satisfactory proof of  
14 ownership as the county recorder requires, together with an  
15 application for a new certificate of title, and the required  
16 fee.

17 Sec. 28. Section 321G.33, subsections 1 and 3, Code 2011,  
18 are amended to read as follows:

19 1. The department may assign a distinguishing number to  
20 a snowmobile when the serial number on the snowmobile is  
21 destroyed or obliterated and issue to the owner a special  
22 plate decal bearing the distinguishing number which shall be  
23 affixed to the snowmobile in a position to be determined by  
24 the department. The snowmobile shall be registered and titled  
25 under the distinguishing number in lieu of the former serial  
26 number. Every snowmobile shall have a vehicle identification  
27 number assigned and affixed as required by the department.

28 3. A person shall not destroy, remove, alter, cover, or  
29 deface the manufacturer's vehicle identification number, the  
30 plate or decal bearing it, or any vehicle identification number  
31 the department assigns to a snowmobile without the department's  
32 permission.

33 Sec. 29. Section 321I.1, subsection 1, paragraph b, Code  
34 2011, is amended to read as follows:

35 b. Off-road motorcycles shall be considered all-terrain

1 vehicles for the purpose of registration. Off-road motorcycles  
2 shall also be considered all-terrain vehicles for the purpose  
3 of titling if a title has not previously been issued pursuant  
4 to chapter 321. An operator of an off-road motorcycle is  
5 subject to provisions governing the operation of all-terrain  
6 vehicles in this chapter, but is exempt from the ~~safety~~  
7 education instruction and certification program requirements of  
8 sections 321I.25 and 321I.26.

9 Sec. 30. Section 321I.1, subsections 6, 7, and 16, Code  
10 2011, are amended to read as follows:

11 6. "*Designated riding area*" means an all-terrain vehicle  
12 riding area on any public land or public ice under the  
13 jurisdiction of the department that has been designated by the  
14 department for all-terrain vehicle use.

15 7. "*Designated riding trail*" means an all-terrain vehicle  
16 riding trail on any public land, private land, or public  
17 ~~ice under the jurisdiction of the department~~ that has been  
18 designated by the department, a political subdivision, or a  
19 controlling authority for all-terrain vehicle use.

20 16. a. "*Off-road utility vehicle*" means a motorized  
21 flotation-tire or tracked vehicle with not less than four  
22 and not more than eight low-pressure tires or tracks that is  
23 limited in engine displacement to less than one thousand five  
24 hundred cubic centimeters and in total dry weight to not more  
25 than one thousand eight hundred pounds and that has a seat that  
26 is of bucket or bench design, not intended to be straddled  
27 by the operator, and a steering wheel or control levers for  
28 control.

29 ~~b. An owner of an off-road utility vehicle may register~~  
30 ~~or title an off-road utility vehicle in order to legally~~  
31 ~~operate the off-road vehicle on public ice, a designated~~  
32 ~~riding area, or a designated riding trail.~~ The operator of an  
33 off-road utility vehicle is subject to provisions governing  
34 the operation of all-terrain vehicles in section 321.234A, and  
35 this chapter, and administrative rules, but is exempt from

1 the ~~safety~~ education instruction and certification program  
2 requirements of sections 321I.25 and 321I.26. An operator of  
3 an off-road utility vehicle shall not operate the vehicle on a  
4 designated riding area or designated riding trail unless the  
5 department has posted signage indicating the riding area or  
6 trail is open to the operation of off-road utility vehicles.  
7 Off-road utility vehicles are ~~exempt from~~ subject to the dealer  
8 registration and titling requirements of this chapter. A  
9 motorized vehicle that was previously titled or is currently  
10 titled under chapter 321 shall not be registered or operated  
11 as an off-road utility vehicle.

12 Sec. 31. Section 321I.1, Code 2011, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 20A. "*Public ice*" means any frozen,  
15 navigable waters within the territorial limits of this state  
16 and the frozen marginal river areas adjacent to this state,  
17 other than farm ponds, that are under the jurisdiction of the  
18 commission.

19 Sec. 32. Section 321I.1, subsections 23, 25, and 27, Code  
20 2011, are amended to read as follows:

21 23. "*Resident*" means ~~a person who meets the requirements~~  
22 ~~for residency described in section 321.1A~~ as defined in section  
23 483A.1A.

24 25. "*Safety Education certificate*" means an all-terrain  
25 vehicle ~~safety~~ education certificate, approved by the  
26 commission, which is issued to a qualified applicant who is  
27 twelve years of age or older.

28 27. "*Special event*" means an organized race, exhibition,  
29 or demonstration of limited duration which is conducted on  
30 public land, ~~or~~ public ice, or a designated riding trail under  
31 the jurisdiction of the commission according to a prearranged  
32 schedule and in which general public interest is manifested.

33 Sec. 33. Section 321I.2, subsection 1, paragraph f, Code  
34 2011, is amended to read as follows:

35 f. Issuance of ~~safety~~ education certificates.

1     Sec. 34. Section 321I.3, Code 2011, is amended to read as  
2 follows:

3     **321I.3 Registration required — penalties.**

4     1. Each all-terrain vehicle used on public land, ~~or public~~  
5 ~~ice, or a designated riding trail~~ of this state shall be  
6 currently registered. A person shall not operate, maintain,  
7 or give permission for the operation or maintenance of an  
8 all-terrain vehicle on public land, ~~or public ice, or a~~  
9 ~~designated riding trail~~ unless the all-terrain vehicle is  
10 registered in accordance with this chapter or applicable  
11 federal laws or ~~the all-terrain vehicle displays a current~~  
12 ~~annual user permit decal issued for the all-terrain vehicle~~  
13 ~~as provided in section 321I.5 in accordance with an approved~~  
14 ~~numbering system of another state and the evidence of~~  
15 ~~registration is in full force and effect. An all-terrain~~  
16 ~~vehicle registered in another state must also be issued a user~~  
17 ~~permit in this state in accordance with this chapter.~~

18     ~~2. A registration certificate and registration decal~~  
19 ~~shall be assigned, without payment of fee, to all-terrain~~  
20 ~~vehicles owned by the state of Iowa or its political~~  
21 ~~subdivisions. The registration decal shall be displayed on~~  
22 ~~the all-terrain vehicle as required under section 321I.6. A~~  
23 ~~registration certificate shall be assigned, without payment~~  
24 ~~of a registration fee, for an all-terrain vehicle which is~~  
25 ~~exempt from registration but is being titled, upon payment~~  
26 ~~of a writing fee as provided in section 321I.29 and an~~  
27 ~~administrative fee. A registration decal shall not be issued~~  
28 ~~and the registration shall not expire while the all-terrain~~  
29 ~~vehicle is exempt. The application for registration and~~  
30 ~~the registration certificate shall indicate the reason for~~  
31 ~~exemption from the registration fee.~~

32     ~~3.~~ 2. A violation of subsection 1 ~~or 2~~ is punishable as  
33 a scheduled violation under section 805.8B, subsection 2A,  
34 paragraph "a". When the scheduled fine is paid, the violator  
35 shall submit proof to the department that a valid registration



1 or user permit has been obtained by providing a copy of the  
2 registration or user permit to the department within thirty  
3 days of the date the fine is paid. A person who violates this  
4 subsection is guilty of a simple misdemeanor.

5 Sec. 35. Section 321I.4, subsection 2, Code 2011, is amended  
6 to read as follows:

7 2. The owner of the all-terrain vehicle shall file an  
8 application for registration with the department through ~~a~~ the  
9 county recorder of the county of residence, or in the case  
10 of a nonresident owner, in the county of primary use, in the  
11 manner established by the commission. The application shall  
12 be completed by the owner and shall be accompanied by a fee  
13 of fifteen dollars and a writing fee as provided in section  
14 321I.29. An all-terrain vehicle shall not be registered by the  
15 county recorder until the county recorder is presented with  
16 receipts, bills of sale, or other satisfactory evidence that  
17 the sales or use tax has been paid for the purchase of the  
18 all-terrain vehicle or that the owner is exempt from paying the  
19 tax. An all-terrain vehicle that has an expired registration  
20 certificate from another state may be registered in this state  
21 upon proper application, payment of all applicable registration  
22 and writing fees, and payment of a penalty of five dollars.

23 Sec. 36. Section 321I.5, subsection 1, Code 2011, is amended  
24 to read as follows:

25 1. A nonresident wishing to operate an all-terrain vehicle,  
26 other than an all-terrain vehicle ~~owned by a resident and~~  
27 registered pursuant to this chapter, on public land, ~~or~~ public  
28 ice, or a designated riding trail of this state shall ~~first~~  
29 obtain a user permit from the department. A user permit shall  
30 be issued for ~~the~~ use on only one all-terrain vehicle ~~specified~~  
31 ~~at the time of application~~ and is not transferable. A user  
32 permit shall be valid for the calendar year or time period  
33 specified in the permit.

34 Sec. 37. Section 321I.7, subsections 3 and 4, Code 2011, are  
35 amended to read as follows:

1     3. Duplicate registrations may be issued ~~upon application~~  
2 ~~to the~~ by a county recorder or a license agent and the payment  
3 of a five dollar fee plus a writing fee as provided in section  
4 321I.29.

5     4. A motorcycle, as defined in section 321.1, subsection  
6 40, paragraph "a", may be registered as an all-terrain vehicle  
7 as provided in this section. A motorcycle registered as an  
8 all-terrain vehicle may participate in all programs established  
9 for all-terrain vehicles under this chapter except for the  
10 safety education instruction and certification program.

11     Sec. 38. Section 321I.8, Code 2011, is amended to read as  
12 follows:

13     **321I.8 Fees remitted to commission — appropriation.**

14     1. A county recorder or license agent shall remit to the  
15 commission the all-terrain vehicle fees collected by the  
16 recorder or license agent in the manner and time prescribed by  
17 the department.

18     2. The department shall remit the fees, including user  
19 fees collected pursuant to section 321I.5, to the treasurer  
20 of state, who shall place the money in a special all-terrain  
21 vehicle fund. The money is appropriated to the department for  
22 the all-terrain vehicle programs of the state. The programs  
23 shall include grants, subgrants, contracts, or cost-sharing  
24 of all-terrain vehicle programs with political subdivisions  
25 or incorporated private organizations or both in accordance  
26 with rules adopted by the commission. All-terrain vehicle fees  
27 may be used for the establishment, maintenance, and operation  
28 of all-terrain vehicle recreational riding areas through the  
29 awarding of grants administered by the department. All-terrain  
30 vehicle recreational riding areas established, maintained, or  
31 operated by the use of such grants shall not be operated for  
32 profit. All programs using cost-sharing, grants, subgrants, or  
33 contracts shall establish and implement ~~a safety~~ an education  
34 instruction program either singly or in cooperation with other  
35 all-terrain vehicle programs. All-terrain vehicle fees may

1 be used to support all-terrain vehicle programs on a usage  
2 basis. At least fifty percent of the special fund shall be  
3 available for political subdivisions or incorporated private  
4 organizations or both. Moneys from the special fund not  
5 used by the political subdivisions or incorporated private  
6 organizations or both shall remain in the fund and may be used  
7 by the department for the administration of the all-terrain  
8 vehicle programs. Notwithstanding section 8.33, moneys in the  
9 special fund shall not revert to the general fund of the state  
10 at the end of a fiscal year. Notwithstanding section 12C.7,  
11 subsection 2, interest or earnings on moneys in the special  
12 fund shall remain in the fund.

13 Sec. 39. Section 321I.9, subsection 1, Code 2011, is amended  
14 to read as follows:

15 1. All-terrain vehicles owned ~~and used~~ by the United States,  
16 this state, or another state, or by a political governmental  
17 subdivision of another state thereof, and used for enforcement,  
18 search and rescue, or official research and studies, but not  
19 for recreational or commercial purposes.

20 Sec. 40. Section 321I.11, Code Supplement 2011, is amended  
21 to read as follows:

22 **321I.11 Accident reports.**

23 If an all-terrain vehicle is involved in an accident  
24 resulting in injury or death to anyone or property damage  
25 amounting to one thousand five hundred dollars or more,  
26 either the operator or someone acting for the operator  
27 shall immediately notify the county sheriff or another law  
28 enforcement agency in the state. If the accident occurred  
29 on public land, or public ice, or a designated riding trail  
30 under the jurisdiction of the commission, the operator shall  
31 file with the commission a report of the accident, within  
32 seventy-two hours, containing information as the commission may  
33 require. All other accidents shall be reported as required  
34 under section 321.266.

35 Sec. 41. Section 321I.13, Code 2011, is amended to read as

1 follows:

2     **321I.13 ~~Headlamp — tail lamp~~ Headlight — taillight —**  
3 **brakes.**

4     Every all-terrain vehicle operated during the hours of  
5 darkness shall display a lighted ~~headlamp~~ headlight and ~~tail~~  
6 ~~lamp~~ taillight. Every all-terrain vehicle shall be equipped  
7 with brakes.

8     Sec. 42. Section 321I.14, subsection 1, paragraph f, Code  
9 2011, is amended to read as follows:

10     *f.* On any public land, public ice, or ~~snow~~ designated  
11 riding trail, in violation of official signs of the commission  
12 prohibiting such operation in the interest of safety for  
13 persons, property, or the environment. Any officer appointed  
14 by the commission may post an official sign in an emergency for  
15 the protection of persons, property, or the environment.

16     Sec. 43. Section 321I.17, Code 2011, is amended to read as  
17 follows:

18     **321I.17 Special events.**

19     The department may authorize the holding of organized  
20 special events as defined in this chapter within this state.  
21 The department shall adopt rules relating to the conduct of  
22 special events held under department permits and designating  
23 the equipment and facilities necessary for the safe operation  
24 of all-terrain vehicles ~~or~~, off-road motorcycles, and off-road  
25 utility vehicles and for the safety of operators, participants,  
26 and observers in the special events. A special event ~~for~~  
27 ~~all-terrain vehicles~~ may ~~include motorcycles upon payment~~  
28 ~~of~~ require an entrance fee set by the organizer of the  
29 special event. The department may require that part of the  
30 ~~motorcycle~~ entrance fee be credited to pay costs of all-terrain  
31 vehicle programs authorized pursuant to section 321I.8. At  
32 least thirty days before the scheduled date of a special  
33 event in this state, an application shall be filed with the  
34 department for authorization to conduct the special event. The  
35 application shall set forth the date, time, and location of the

1 proposed special event and any other information the department  
2 requires. The special event shall not be conducted without  
3 written authorization of the department. ~~Copies of the rules~~  
4 ~~shall be furnished by the department to any person making an~~  
5 ~~application.~~

6 Sec. 44. Section 321I.18, Code 2011, is amended to read as  
7 follows:

8 **321I.18 Violation of stop signal.**

9 A person, ~~after having~~ who has received a visual or audible  
10 signal from a peace officer to come to a stop, shall not  
11 operate an all-terrain vehicle in willful or wanton disregard  
12 of the signal, ~~or~~ interfere with or endanger the officer or any  
13 other person or vehicle, ~~or~~ increase speed, or attempt to flee  
14 or elude the officer.

15 Sec. 45. Section 321I.21, unnumbered paragraph 1, Code  
16 2011, is amended to read as follows:

17 A person under twelve years of age shall not operate an  
18 all-terrain vehicle, including an off-road motorcycle, on a  
19 designated riding area or designated riding trail or on public  
20 land or public ice unless one of the following applies:

21 Sec. 46. Section 321I.21, subsection 1, Code 2011, is  
22 amended to read as follows:

23 1. The person is taking a prescribed safety education  
24 training course and the operation is under the direct  
25 supervision of a certified all-terrain vehicle safety education  
26 instructor.

27 Sec. 47. Section 321I.22, subsections 1 through 5, Code  
28 2011, are amended to read as follows:

29 1. A manufacturer, distributor, or dealer owning an  
30 all-terrain vehicle required to be registered under this  
31 chapter may operate the all-terrain vehicle for purposes of  
32 transporting, testing, demonstrating, or selling it without the  
33 all-terrain vehicle being registered, except that a special  
34 ~~identification number~~ registration decal issued to the owner as  
35 provided in this chapter shall be displayed on the all-terrain

1 vehicle in the manner prescribed by rules of the commission.

2 The special ~~identification number~~ registration decal shall not  
3 be used on an all-terrain vehicle offered for hire or for any  
4 work or service performed by a manufacturer, distributor, or  
5 dealer.

6 2. Every manufacturer, distributor, or dealer shall  
7 register with the department by making application to the  
8 commission, upon forms prescribed by the commission, for  
9 a special registration certificate ~~containing a general~~  
10 ~~identification number and for one or more duplicate special~~  
11 ~~registration certificates and decal.~~ The applicant shall pay  
12 a registration fee of ~~fifteen~~ forty-five dollars and submit  
13 reasonable proof of the applicant's status as a bona fide  
14 manufacturer, distributor, or dealer as may be required by the  
15 commission.

16 3. The commission, upon granting an application, shall  
17 issue to the applicant a special registration certificate  
18 ~~containing~~ and decal. The special registration certificate  
19 shall contain the applicant's name, and address, the and  
20 general identification number; ~~assigned to the applicant,~~ the  
21 word "manufacturer", "dealer", or "distributor"; and other  
22 information the commission prescribes. ~~The manufacturer,~~  
23 ~~distributor, or dealer shall have the assigned number printed~~  
24 ~~upon or attached to a removable sign or signs which may be~~  
25 ~~temporarily but firmly mounted or attached to the all-terrain~~  
26 ~~vehicle being used. The display shall meet the requirements of~~  
27 ~~this chapter and the rules of the commission.~~

28 4. The commission shall also issue duplicate special  
29 registration certificates and decals which shall have displayed  
30 thereon the general identification number assigned to the  
31 applicant. ~~Each duplicate registration certificate so issued~~  
32 ~~shall contain a number or symbol identifying it from every~~  
33 ~~other duplicate special registration certificate bearing the~~  
34 ~~same general identification number.~~ A county recorder may  
35 issue duplicate special registration certificates and decals

1 electronically pursuant to rules adopted by the commission.

2 The fee for each additional duplicate special registration  
3 certificate and decal shall be ~~two~~ five dollars plus a writing  
4 fee.

5 5. Each special registration certificate issued ~~hereunder~~  
6 under this section shall be for a period of three years and  
7 shall expire on December 31 of each the renewal year, and  
8 a. A new special registration certificate for the ensuing  
9 twelve months three-year renewal period may be obtained upon  
10 application to the commission and payment of the fee provided  
11 by law. A county recorder may issue special registration  
12 certificate renewals electronically pursuant to rules adopted  
13 by the commission.

14 Sec. 48. Section 321I.25, Code 2011, is amended to read as  
15 follows:

16 **321I.25 Course of instruction.**

17 1. The commission shall provide, by rules adopted pursuant  
18 to section 321I.2, for the establishment of certified courses  
19 of instruction to be conducted throughout the state for the  
20 safe use and operation of all-terrain vehicles. The curriculum  
21 shall include instruction in the lawful and safe use,  
22 operation, and equipping of all-terrain vehicles consistent  
23 with this chapter and rules adopted by the commission ~~and the~~  
24 ~~director of transportation and other matters the commission~~  
25 ~~deems pertinent for a qualified all-terrain vehicle operator.~~  
26 The commission may establish a fee for the course which shall  
27 not exceed the actual cost of instruction minus moneys received  
28 by the department from safety education certificate fees under  
29 section 321I.26.

30 2. The commission may certify any experienced, qualified  
31 operator to be an instructor of a class established under  
32 subsection 1. Each instructor shall be at least eighteen years  
33 of age.

34 3. Upon completion of the course of instruction, the  
35 commission shall provide for the administration of either a

1 written test or the demonstration of adequate riding skills to  
2 any student who wishes to qualify for a ~~safety~~ an education  
3 certificate.

4 4. The commission shall provide safety education material  
5 relating to the operation of all-terrain vehicles for the use  
6 of nonpublic or public elementary and secondary schools in this  
7 state.

8 5. The department may develop requirements and standards  
9 for online education offerings. Only vendors who have entered  
10 into a memorandum of understanding with the department  
11 shall be permitted to offer an online course that results  
12 in the issuance of an education certificate approved by the  
13 commission. Vendors may charge for their courses and collect  
14 the education certificate fee required under section 321I.26,  
15 subsection 2, on behalf of the department as agreed to in the  
16 memorandum of understanding.

17 Sec. 49. Section 321I.26, Code 2011, is amended to read as  
18 follows:

19 **321I.26 Safety Education certificate — fee.**

20 1. A person twelve years of age or older but less than  
21 eighteen years of age shall not operate an all-terrain vehicle  
22 on public land, or public ice, a designated riding trail, or  
23 land purchased with all-terrain vehicle registration funds  
24 in this state without obtaining a valid safety education  
25 certificate ~~issued~~ approved by the department and having the  
26 certificate in the person's possession.

27 2. Upon ~~application~~ successful completion of the course  
28 and payment of a fee of five dollars, a qualified applicant  
29 shall be issued a ~~safety~~ an education certificate which is  
30 valid until the certificate is suspended or revoked by the  
31 director for a violation of a provision of this chapter or a  
32 rule adopted pursuant to this chapter. ~~The application shall~~  
33 ~~be made on forms issued by the commission and shall contain~~  
34 ~~information as the commission may reasonably require.~~

35 3. Any person who is required to have a ~~safety~~ an education



1 certificate under this chapter and who has completed a course  
2 of instruction established under section 321I.2, subsection  
3 1, paragraph "i", including the successful passage of an  
4 examination which includes either a written test relating to  
5 such course of instruction or the demonstration of adequate  
6 riding skills, shall be considered qualified to receive a  
7 ~~safety~~ an education certificate.

8 4. The ~~permit~~ certificate fees collected under this section  
9 shall be credited to the special all-terrain vehicle fund and  
10 shall be used for ~~safety and~~ educational programs.

11 5. A valid all-terrain vehicle safety or education  
12 certificate or license issued ~~to a nonresident~~ by a  
13 governmental authority of another state shall be considered  
14 a valid certificate or license in this state if the ~~permit~~  
15 certification or license licensing requirements of the  
16 governmental authority, ~~excluding fees~~, are substantially the  
17 same as the requirements of this chapter as determined by the  
18 commission.

19 Sec. 50. Section 321I.27, Code 2011, is amended to read as  
20 follows:

21 **321I.27 Stopping and inspecting — warnings.**

22 A peace officer may stop and inspect an all-terrain vehicle  
23 operated, parked, or stored on public streets, highways,  
24 public lands, ~~or frozen waters~~ public ice, or designated  
25 riding trails of the state to determine if the all-terrain  
26 vehicle is registered, numbered, or equipped as required by  
27 this chapter and commission rules. The officer shall not  
28 inspect an area that is not essential to determine compliance  
29 with the requirements. If the officer determines that the  
30 all-terrain vehicle is not in compliance, the officer may issue  
31 a warning memorandum to the operator and forward a copy to the  
32 commission. The warning memorandum shall indicate the items  
33 found not in compliance and shall direct the owner or operator  
34 of the all-terrain vehicle to have the all-terrain vehicle in  
35 compliance and return a copy of the warning memorandum with the

1 proof of compliance to the commission within fourteen days. If  
2 the proof of compliance is not provided within fourteen days,  
3 the owner or operator is in violation of this chapter.

4 Sec. 51. Section 321I.28, Code 2011, is amended to read as  
5 follows:

6 **321I.28 Termination of use.**

7 A person who receives a warning memorandum for an  
8 all-terrain vehicle shall stop using the all-terrain vehicle as  
9 soon as possible and shall not operate it on public streets,  
10 highways, public lands, ~~or frozen waters~~ public ice, or  
11 designated riding trails of the state until the all-terrain  
12 vehicle is in compliance.

13 Sec. 52. Section 321I.29, subsection 1, Code 2011, is  
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. *0c.* The county recorder shall collect  
16 a writing fee of one dollar and twenty-five cents for each  
17 duplicate special registration certificate issued by the county  
18 recorder's office.

19 Sec. 53. Section 321I.31, subsection 8, Code 2011, is  
20 amended to read as follows:

21 8. Once titled, a person shall not sell or transfer  
22 ownership of an all-terrain vehicle without delivering to  
23 the purchaser or transferee a certificate of title with an  
24 assignment on it showing title in the ~~purchaser or transferee~~  
25 purchaser's or transferee's name. A person shall not purchase  
26 or otherwise acquire an all-terrain vehicle without obtaining a  
27 certificate of title for it in that person's name.

28 Sec. 54. Section 321I.33, subsection 1, Code 2011, is  
29 amended to read as follows:

30 1. If ownership of an all-terrain vehicle is transferred by  
31 operation of law, such as by inheritance, order in bankruptcy,  
32 insolvency, replevin, or execution sale, the transferee,  
33 within thirty days after acquiring the right to possession of  
34 the all-terrain vehicle, shall mail or deliver to the county  
35 recorder of the transferee's county of residence satisfactory

1 proof of ownership as the county recorder requires, together  
2 with an application for a new certificate of title, and the  
3 required fee.

4 Sec. 55. Section 321I.35, subsections 1 and 3, Code 2011,  
5 are amended to read as follows:

6 1. The department may assign a distinguishing number to an  
7 all-terrain vehicle when the serial number on the all-terrain  
8 vehicle is destroyed or obliterated and issue to the owner a  
9 special plate decal bearing the distinguishing number which  
10 shall be affixed to the all-terrain vehicle in a position to be  
11 determined by the department. The all-terrain vehicle shall be  
12 registered and titled under the distinguishing number in lieu  
13 of the former serial number. Every all-terrain vehicle shall  
14 have a vehicle identification number assigned and affixed as  
15 required by the department.

16 3. A person shall not destroy, remove, alter, cover, or  
17 deface the manufacturer's vehicle identification number, the  
18 plate or decal bearing it, or any vehicle identification number  
19 the department assigns to an all-terrain vehicle without the  
20 department's permission.

21 Sec. 56. Section 461C.2, subsection 5, Code 2011, is amended  
22 to read as follows:

23 5. "*Recreational purpose*" means the following or any  
24 combination thereof: Hunting, trapping, horseback riding,  
25 fishing, swimming, boating, camping, picnicking, hiking,  
26 pleasure driving, motorcycling, all-terrain vehicle riding,  
27 nature study, water skiing, snowmobiling, other summer  
28 and winter sports, and viewing or enjoying historical,  
29 archaeological, scenic, or scientific sites while going to and  
30 from or actually engaged therein.

31 Sec. 57. Section 462A.2, Code Supplement 2011, is amended by  
32 adding the following new subsection:

33 NEW SUBSECTION. 43A. "*Watercraft education certificate*"  
34 means a certificate, approved by the commission, which is  
35 issued to a qualified applicant who is twelve years of age or

1 older who has successfully completed a watercraft education  
2 course approved by the department.

3 Sec. 58. Section 462A.12, subsection 6, Code 2011, is  
4 amended to read as follows:

5 6. An owner or operator of a vessel propelled by a motor  
6 of more than ten horsepower shall not permit any person under  
7 twelve years of age to operate the vessel unless accompanied  
8 in or on the same vessel by a responsible person of at  
9 least eighteen years of age who is experienced in motorboat  
10 operation. A person who is twelve years of age or older  
11 but less than eighteen years of age shall not operate any  
12 vessel propelled by a motor of more than ten horsepower unless  
13 the person has successfully completed a department-approved  
14 watercraft ~~safety~~ education course and obtained a watercraft  
15 ~~safety~~ education certificate or is accompanied in or on the  
16 same vessel by a responsible person of at least eighteen years  
17 of age who is experienced in motorboat operation. A person  
18 required to have a watercraft ~~safety~~ education certificate  
19 shall carry and shall exhibit or make available the certificate  
20 upon request of an officer of the department. A violation  
21 of this subsection is a simple misdemeanor as provided in  
22 section 462A.13. However, a person charged with violating  
23 this subsection shall not be convicted if the person produces  
24 in court, within a reasonable time, a ~~department-approved~~  
25 watercraft education certificate. The cost of a ~~department~~  
26 watercraft education certificate, or any duplicate, shall not  
27 exceed five dollars.

28 Sec. 59. NEW SECTION. **462A.12A Online watercraft education**  
29 **courses.**

30 1. The department shall develop requirements and standards  
31 for online watercraft education courses. Only vendors who have  
32 entered into a memorandum of understanding with the department  
33 shall be approved by the department to offer an online  
34 watercraft education course that upon successful completion is  
35 sufficient to result in the issuance of a watercraft education

1 certificate to the person who completes the course.

2     2. A vendor approved to offer an online watercraft education  
3 course as provided in subsection 1 may charge a fee for the  
4 course as agreed to in the memorandum of understanding with  
5 the department and may also collect the watercraft education  
6 certificate fee on behalf of the department as agreed to in the  
7 memorandum of understanding.

8     Sec. 60. Section 462A.36, Code 2011, is amended to read as  
9 follows:

10     **462A.36 Fee for special certificate — minimum requirements**  
11 **for issuance.**

12     1. Any manufacturer or dealer may, upon payment of a fee of  
13 fifteen ~~forty-five~~ dollars, make application to the commission,  
14 upon such forms as the commission prescribes, for a special  
15 certificate containing a general distinguishing number and for  
16 one or more duplicate special certificates. The applicant  
17 shall submit such reasonable proof of the applicant's status  
18 as a bona fide manufacturer or dealer as the commission may  
19 require.

20     2. The commission may adopt rules consistent with this  
21 chapter establishing minimum requirements for a dealer or  
22 manufacturer to be issued a special certificate. In adopting  
23 such rules the department shall consider the need to protect  
24 persons, property, and the environment, and to promote uniform  
25 practices relating to the sale and use of vessels. The  
26 commission may also adopt rules providing for the suspension or  
27 revocation of a dealer's or manufacturer's special certificate  
28 issued pursuant to this section.

29     Sec. 61. Section 462A.38, Code 2011, is amended to read as  
30 follows:

31     **462A.38 ~~Duplicates~~ Duplicate special certificates.**

32     The commission shall also issue duplicate special  
33 certificates as applied for which shall have displayed  
34 thereon the general distinguishing number assigned to the  
35 applicant. ~~Each duplicate special certificate so issued shall~~

1 ~~contain a number or symbol identifying the same from every~~  
2 ~~other duplicate special certificate bearing the same general~~  
3 ~~distinguishing number.~~ The fee for each additional duplicate  
4 special certificate shall be ~~two~~ five dollars plus a writing  
5 fee.

6 Sec. 62. Section 462A.39, Code 2011, is amended to read as  
7 follows:

8 **462A.39 Expiration date.**

9 Each special certificate issued ~~hereunder~~ under this  
10 chapter shall be for a period of three years and shall expire  
11 at midnight on April 30 of the last calendar year of the  
12 registration period, and a new special certificate may be  
13 renewed for the ensuing registration another three-year period  
14 ~~may be obtained~~ upon application to the commission and payment  
15 of the fee provided by law.

16 Sec. 63. Section 462A.46, Code 2011, is amended to read as  
17 follows:

18 **462A.46 Purchase of registered vessel by dealer.**

19 Whenever a dealer purchases or otherwise acquires a  
20 vessel registered in this state, the dealer shall issue a  
21 signed receipt to the previous owner, indicating the date of  
22 purchase or acquisition, the name and address of such previous  
23 owner, and the registration number of the vessel purchased  
24 or acquired. ~~The original receipt shall be delivered to the~~  
25 ~~previous owner and one copy shall be mailed or delivered by~~  
26 ~~the dealer to the county recorder of the county in which the~~  
27 ~~vessel is registered, and one copy shall be delivered to the~~  
28 ~~commission within forty-eight hours.~~

29 Sec. 64. Section 462A.53, Code 2011, is amended to read as  
30 follows:

31 **462A.53 Amount of writing fees.**

32 A writing fee of one dollar and twenty-five cents for  
33 each ~~transaction~~ privilege shall be collected by the county  
34 recorder. ~~If two or more functions are transacted for the same~~  
35 ~~vessel at one time, the writing fee is limited to one dollar~~

1 ~~and twenty-five cents.~~

2 Sec. 65. Section 805.8B, subsection 2, paragraph a, Code  
3 2011, is amended to read as follows:

4 a. For registration or user permit violations under section  
5 321G.3, ~~subsections~~ subsection 1 and 2, the scheduled fine is  
6 fifty dollars.

7 Sec. 66. Section 805.8B, subsection 2, paragraph b,  
8 subparagraph (3), Code 2011, is amended to read as follows:

9 (3) For operating violations under section 321G.13,  
10 subsection 1, paragraphs "a", "b", "e", "f", "g", and "h", and  
11 "i", and subsections 2 and 3, the scheduled fine is one hundred  
12 dollars.

13 Sec. 67. Section 805.8B, subsection 2, paragraph g, Code  
14 2011, is amended to read as follows:

15 g. For violations of section 321G.20 and for ~~safety~~  
16 education certificate violations under section 321G.24,  
17 subsection 1, the scheduled fine is fifty dollars.

18 Sec. 68. Section 805.8B, subsection 2A, paragraphs a and g,  
19 Code 2011, are amended to read as follows:

20 a. For registration or user permit violations under section  
21 321I.3, ~~subsections~~ subsection 1 and 2, the scheduled fine is  
22 fifty dollars.

23 g. For violations of section 321I.21 and for ~~safety~~  
24 education certificate violations under section 321I.26,  
25 subsection 1, the scheduled fine is fifty dollars.

26 Sec. 69. REPEAL. Sections 462A.40 and 462A.42, Code 2011,  
27 are repealed.

28 EXPLANATION

29 This bill relates to matters concerning the regulation  
30 of snowmobiles, all-terrain vehicles, and watercraft by  
31 the department of natural resources, and makes penalties  
32 applicable.

33 SNOWMOBILE REGULATION. The bill makes numerous revisions  
34 to Code chapter 321G, which provides for the regulation of  
35 snowmobiles by the department.

1 The bill defines "resident" and "nonresident", for purposes  
2 of snowmobile regulation, to mean the same as defined for  
3 purposes of hunting and fishing licenses.

4 The bill defines "public water" as any navigable waters  
5 within the state and the marginal river areas adjacent to the  
6 state, other than farm ponds, under the jurisdiction of the  
7 natural resource commission. A similar definition is provided  
8 for "public ice", and various sections of Code chapter 321G are  
9 amended to specify the defined term.

10 The bill specifies that the natural resource commission may  
11 adopt rules for the use of snowmobiles on designated snowmobile  
12 trails and for maintenance, signing, and operation of the  
13 trails, and existing provisions are amended to indicate that  
14 operation on designated trails is subject to regulation by  
15 the department. The scope of grant programs and contracts  
16 administered by the department is expanded to include  
17 the signage of designated snowmobile trails. "Designated  
18 snowmobile trail" is defined to mean a snowmobile riding  
19 trail on any public land, private land, or public ice that is  
20 designated by the department, a political subdivision, or a  
21 controlling authority for snowmobile use.

22 The bill specifies that the original application for  
23 registration of a snowmobile must be filed with the county  
24 recorder of the owner's county of residence or if the owner is  
25 a nonresident, in the county of primary use. If a transfer  
26 of ownership occurs by operation of law, the application must  
27 be filed in the transferee's county of residence. Duplicate  
28 registrations and registration renewals may be accomplished  
29 through a county recorder or a license agent. A snowmobile  
30 owned by a nonresident and registered in another state must be  
31 issued a user permit in this state, which is valid for use on  
32 only one snowmobile.

33 The bill provides that a snowmobile owned by the United  
34 States, this state, or another state, or by a governmental  
35 subdivision, is exempt from registration requirements in



1 this state if the snowmobile is used for enforcement, search  
2 and rescue, or official research and studies, but not for  
3 recreational or commercial purposes. Current provisions for  
4 the issuance of registration certificates and registration  
5 decals for snowmobiles owned by the state of Iowa or its  
6 political subdivisions are stricken.

7 The bill makes a technical change requiring that every  
8 snowmobile be equipped with a headlight and a taillight, rather  
9 than a headlamp and a tail lamp.

10 The bill prohibits a person from water skipping a snowmobile  
11 on public water, except on rivers and streams during the period  
12 between November 1 and April 1. A violation is a simple  
13 misdemeanor punishable by a scheduled fine of \$100. "Water  
14 skipping" is defined as the operation of a snowmobile on the  
15 surface of water using the skis, track, and bottom surface of  
16 the snowmobile for flotation while the snowmobile is in motion.

17 The bill makes technical changes to clarify language  
18 relating to stop signal violations.

19 The bill increases the fee for a special registration  
20 certificate from \$15 to \$45 for snowmobile manufacturers,  
21 distributors, and dealers and extends the registration period  
22 from one year to three years. Special registration certificate  
23 renewals may be issued electronically. The bill provides  
24 for the issuance of a special registration decal along with  
25 the special registration certificate. The decal is to be  
26 displayed on a snowmobile when it is being operated for  
27 purposes of transporting, testing, demonstrating, or selling  
28 the snowmobile. Duplicate special registration certificates  
29 and decals may be issued electronically by a county recorder  
30 and are subject to a fee of \$5 plus a writing fee of \$1.25.

31 Pursuant to current law, a safety certificate is required  
32 for operation of a snowmobile on regulated land or ice by a  
33 person under 18 years of age, and in addition, a person 12  
34 to 15 years of age must be under the direct supervision of a  
35 parent, guardian, or another adult authorized by the parent or

1 guardian. The bill makes a terminology change by replacing the  
2 existing "safety certificate" with an "education certificate"  
3 throughout Code chapter 321G. In addition, the bill defines  
4 "direct supervision" to mean providing supervision of another  
5 person while maintaining visual and verbal contact at all  
6 times. Currently, a person under 16 years of age must have  
7 a safety certificate to operate a snowmobile on or across a  
8 public highway. The bill extends the requirement to persons  
9 under 18 years of age.

10 The bill authorizes the department to develop requirements  
11 and standards for the provision of online education resulting  
12 in the issuance of education certificates. A vendor must  
13 enter into a memorandum of understanding with the department  
14 to conduct such a course. Pursuant to the memorandum of  
15 understanding, a vendor may charge a fee for the online course  
16 and collect the education certificate fee on behalf of the  
17 department.

18 The bill provides that when a serial number on a snowmobile  
19 is destroyed or obliterated and the department assigns a  
20 distinguishing number to the snowmobile, the department may  
21 issue a special decal, rather than a plate, to be affixed to  
22 the snowmobile and bearing the distinguishing number.

23 ALL-TERRAIN VEHICLE REGULATION. The bill makes numerous  
24 revisions to Code chapter 321I, which provides for the  
25 regulation of all-terrain vehicles by the department.

26 The bill amends the definition of "off-road utility  
27 vehicle" to include tracked vehicles. In addition, the bill  
28 provides that off-road utility vehicles are subject to dealer  
29 registration and titling requirements applicable to other  
30 all-terrain vehicles. Currently, registration and titling by  
31 dealers is not required. The bill specifies that the operation  
32 of off-road utility vehicles is subject to provisions governing  
33 the operation of all-terrain vehicles both in statute and in  
34 administrative rules.

35 The bill revises the definition of "designated riding trail"

1 to include any public land, private land, or public ice that  
2 has been designated by the department, a political subdivision,  
3 or a controlling entity for all-terrain vehicle use. Various  
4 Code sections are amended to include designated riding trails  
5 within the scope of department regulations.

6 The bill defines "public ice" as any frozen, navigable  
7 waters within the state and the marginal river areas adjacent  
8 to the state, other than farm ponds, under the jurisdiction  
9 of the natural resource commission. Various sections of Code  
10 chapter 321I are amended to specify the defined term.

11 The bill defines "resident", for purposes of all-terrain  
12 vehicle regulation, to mean the same as defined for purposes of  
13 hunting and fishing licenses.

14 The bill specifies that the original application for  
15 registration of an all-terrain vehicle must be filed with the  
16 county recorder of the county of residence or if the owner is  
17 a nonresident, in the county of primary use. If a transfer  
18 of ownership occurs by operation of law, the application must  
19 be filed in the transferee's county of residence. Duplicate  
20 registrations and registration renewals may be accomplished  
21 through a county recorder or a license agent. An all-terrain  
22 vehicle owned by a nonresident and registered in another state  
23 must be issued a user permit in this state, which is valid for  
24 use on only one all-terrain vehicle.

25 The bill provides that an all-terrain vehicle owned  
26 by the United States, this state, or another state, or by  
27 a governmental subdivision, is exempt from registration  
28 requirements in this state if the all-terrain vehicle  
29 is used for enforcement, search and rescue, or official  
30 research and studies, but not for recreational or commercial  
31 purposes. Current provisions for the issuance of registration  
32 certificates and registration decals for all-terrain vehicles  
33 owned by the state of Iowa or its political subdivisions are  
34 stricken.

35 The bill makes a technical change requiring that every

1 all-terrain vehicle be equipped with a headlight and a  
2 taillight, rather than a headlamp and a tail lamp.

3 The bill provides for the inclusion of motorcycles and  
4 off-road utility vehicles in special events. Also, the  
5 requirement that the department furnish a copy of the rules for  
6 a special event to an applicant for the event is stricken.

7 The bill makes technical changes to clarify language  
8 relating to a person who violates a stop signal from a peace  
9 officer.

10 The bill increases the fee for a special registration  
11 certificate from \$15 to \$45 for all-terrain vehicle  
12 manufacturers, distributors, and dealers and extends the  
13 registration period from one year to three years. Special  
14 registration certificate renewals may be issued electronically.  
15 The bill provides for the issuance of a special registration  
16 decal along with the special registration certificate.  
17 The decal is to be displayed on an all-terrain vehicle  
18 when it is being operated for purposes of transporting,  
19 testing, demonstrating, or selling the vehicle. Duplicate  
20 special registration certificates and decals may be issued  
21 electronically by a county recorder and are subject to a fee of  
22 \$5 plus a writing fee of \$1.25.

23 Pursuant to current law, a safety certificate is required  
24 for operation of an all-terrain vehicle on public land or ice  
25 by a person between 12 and 18 years of age. The bill replaces  
26 the "safety certificate" with an "education certificate"  
27 throughout Code chapter 321I. The bill authorizes the  
28 department to develop requirements and standards for the  
29 provision of online education resulting in the issuance of  
30 education certificates. A vendor must enter into a memorandum  
31 of understanding with the department to conduct such a course.  
32 Pursuant to the memorandum of understanding, a vendor may  
33 charge a fee for the online course and collect the education  
34 certificate fee on behalf of the department.

35 The bill provides that when a serial number on an all-terrain

1 vehicle is destroyed or obliterated and the department assigns  
2 a distinguishing number to the all-terrain vehicle, the  
3 department may issue a special decal, rather than a plate,  
4 to be affixed to the all-terrain vehicle and bearing the  
5 distinguishing number.

6 Code section 461C.2(5) is amended to include all-terrain  
7 vehicle riding among the public recreational purposes to be  
8 encouraged on private land in the state.

9 WATERCRAFT EDUCATION COURSES AND CERTIFICATES. Code section  
10 462A.2 is amended to include a definition of "watercraft  
11 education certificate" that is issued to a qualified applicant  
12 12 years of age or older. Code section 462A.12(6) is amended  
13 to change the nomenclature for the requirements that must be  
14 met by a person between 12 and 18 years of age to operate  
15 certain watercraft without an adult in the watercraft. Such a  
16 person is required to complete a department-approved watercraft  
17 education, instead of safety, course and obtain a watercraft  
18 education, instead of safety, certificate.

19 New Code section 462A.12A requires the department to  
20 develop requirements and standards for vendors to offer online  
21 watercraft education courses. Approved vendors may charge  
22 a fee for the course and may also collect the watercraft  
23 education certificate fee on behalf of the department as  
24 provided in a memorandum of understanding with the department.

25 SPECIAL CERTIFICATES FOR WATERCRAFT DEALERS AND  
26 MANUFACTURERS. Code section 462A.36 is amended to allow the  
27 natural resource commission to adopt rules establishing minimum  
28 requirements for special certificates to be issued, suspended,  
29 or revoked for vessel dealers or manufacturers. In adopting  
30 the rules, the commission shall consider the need to protect  
31 persons, property, and the environment, and promote uniform  
32 practices relating to the sale and use of vessels. The fee for  
33 a special certificate is increased from \$15 to \$45.

34 Code section 462A.38 is amended to delete a requirement  
35 that duplicate special certificates contain unique numbers

1 or symbols and to increase the fee for additional duplicate  
2 special certificates from \$2 to \$5, plus a writing fee of  
3 \$1.25.

4 Code section 462A.39 is amended to provide that each special  
5 certificate is issued for three years, expires on April 30 of  
6 the last calendar year of the registration period, and may be  
7 renewed for another three-year period upon application and  
8 payment of a fee.

9 Code section 462A.40, requiring manufacturers or dealers  
10 to keep written records of the vessels upon which special  
11 certificates are used, and Code section 462A.42, requiring  
12 dealers to furnish a list to the commission each year of all  
13 used vessels held by them and for which registration has not  
14 been paid, are repealed.

15 Code section 462A.46 is amended to delete a requirement that  
16 when a dealer purchases or acquires a registered vessel, the  
17 dealer must mail or deliver a copy of the original receipt  
18 issued to the county recorder of the county where the vessel  
19 is registered and to the natural resource commission within 48  
20 hours.

21 Code section 462A.53 is amended to delete a limitation on  
22 the writing fee collected by a county treasurer for two or more  
23 functions transacted for the same vessel at one time. The bill  
24 provides that the county treasurer shall collect a writing fee  
25 of \$1.25 for each privilege relating to watercraft.